

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:) Docket No. 34008US
Joseph B. Cross et al) Group Art Unit No. 1793
Serial No.: 10/735,557) Examiner: Johnson, Edward M.
Filed: 12/12/2003) Confirmation No.: 3922
Title: PROCESS FOR THE REMOVAL)
OF HEAVY METAL FROM GASES, AND)
COMPOSITIONS THEREFOR AND)
THEREWITH)

PAPER CORRECTING APPELLANT'S BRIEF ON APPEAL

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Notification of Non-Compliant Appeal Brief mailed on June 9, 2008. In response, the Summary of Claimed Subject Matter Section has been corrected as set out below.

Summary of Claimed Subject Matter

Independent claim 1, and claims 2 – 4 depending from claim 1, relate to a composition comprising a support and vanadium. *See Page 4, lines 1–2.* The support is selected from the group consisting of: 1) amorphous silica-alumina; 2) a zeolite; 3) a material comprising alumina, expanded perlite and meta-kaolin; 4) alumina; and 5) combinations thereof. *See Page 4, lines 3–5.* In addition, at least a portion of the vanadium of the composition has a crystallite size less than about 100 Å. *See Page 4, lines 13–19.*

Independent claim 5 relates to a composition consisting essentially of a support and vanadium. *See Page 4, lines 1-2.* The support is selected from the group consisting of: 1) amorphous silica-alumina; 2) a zeolite; 3) a material comprising alumina, expanded perlite and meta-kaolin; 4) alumina; and 5) combinations thereof. *See Page 4, lines 3-5.* In addition, at least a portion of the vanadium of the composition has a crystallite size less than about 100 Å. *See Page 4, lines 13-19.*

Independent claim 6 relates to a composition consisting of a support and vanadium. *See Page 4, lines 1-2.* The support is selected from the group consisting of: 1) amorphous silica-alumina; 2) a zeolite; 3) a material comprising alumina, expanded perlite and meta-kaolin; 4) alumina; and 5) combinations thereof. *See Page 4, lines 3-5.* In addition, at least a portion of the vanadium of the composition has a crystallite size less than about 100 Å. *See Page 4, lines 13-19.*

Independent claim 7, and claims 8-16 depending therefrom, relate to a composition comprising a support and vanadium. *See Page 4, lines 1-2.* The support is selected from the group consisting of: 1) amorphous silica-alumina; 2) a zeolite; 3) a

material comprising alumina, expanded perlite and meta-kaolin; 4) alumina; and 5) combinations thereof. *See* Page 4, lines 3-5. In addition, the composition is heated in the presence of oxygen and a solvent to a calcination temperature. The calcination temperature is preferably sufficient to volatize and remove substantially all of the solvent and is also preferably below the temperature which would result in the conversion of greater than about 90 wt. percent of the vanadium to vanadium-and-oxygen-containing crystallites greater than about 100 Å in size. *See* paragraph bridging pages 4 and 5.

Respectfully submitted,

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Date: June 23, 2008

JRA:plf

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